

AMENDED

Serial No. **43866** **ASSIGNED**

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JUN 10 1981

Returned to applicant for correction SEP 14 1981

Corrected application filed OCT 26 1981 Map filed OCT 26 1981

The applicant William Lynn & Eva Dee Magill

Post Office Box 637 of Gardnerville  
Street and No. or P.O. Box No. City or Town

Nevada 89410 hereby make S application for permission to change the  
State and Zip Code No.

Point of Diversion and Place of Use

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit #35630  
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.)

1. The source of water is Underground  
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 5.3 c.f.s.  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Quasi-Municipal  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Quasi-Municipal  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point SE $\frac{1}{4}$ SW $\frac{1}{4}$  Section 9, T.12 N., R.20 E.,  
Describe as being within a 40-acre subdivision of public survey and by course and  
M.D.B. & M., or at a point from which the SW corner of said Section 9 bears  
distance to a section corner. If on unsurveyed land, it should be stated.  
South 65°50'06" West, a distance of 2795 feet.

6. The existing permitted point of diversion is located within SW $\frac{1}{4}$ SW $\frac{1}{4}$  Section 9, T.12 N., R.20 E.,  
If point of diversion is not changed, do not answer.  
M.D.B. & M., or at a point from which the SW corner of said Section 9 bears  
South 55°18' West, a distance of 487 feet.

7. Proposed place of use Portions of the SE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 8 and portions of the SW $\frac{1}{4}$   
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
Section 9, T.12 N., R.20 E., M.D.B. & M., approximately 98.5 acres as shown  
on the supporting map.

8. Existing place of use Portions of the E $\frac{1}{4}$ NE $\frac{1}{4}$  Section 17; portions of NW $\frac{1}{4}$ NW $\frac{1}{4}$  Section 16;  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
portions of SE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 8; and portions of SW $\frac{1}{4}$  Section 9, T.12 N., R.20 E.,  
manner of use of irrigation permit, describe acreage to be removed from irrigation.  
M.D.B. & M., as shown on the supporting map.

9. Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day

10. Use was permitted from January 1 to December 31 of each year.  
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Well, pump, motor and distribution system  
State manner in which water is to be diverted, i.e. diversion structure, ditches,  
pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$20,000.00

13. Estimated time required to construct works 2 years

14. Estimated time required to complete the application of water to beneficial use 10 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This Application is intended to change the Place of Use to reflect the  
Magill property ownership. A Recission of Joint Venture Agreement has  
been separately filed.

By s/Bruce R. Scott  
Bruce R. Scott, Resource Concepts, Inc.  
340 North Minnesota Street  
Carson City, Nevada 89701

Compared js/bc ja/bt

Protested

### APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 35630 is issued subject to the terms and conditions imposed in said Permit 35630 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

At least one ground water monitor well is to be installed within the place of use at a location satisfactory to the State Engineer before any diversion of ground water from the production well. The monitor well must be suitably cased, perforated, sealed, and capped and must penetrate at least 50 feet below the water table.

The issuance of this permit totally abrogates Permit 35630.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 5.3 cubic feet per second, but not to exceed 40.15 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before December 4, 1983

Proof of completion of work shall be filed before January 4, 1984

Application of water to beneficial use shall be made on or before December 4, 1984

Proof of the application of water to beneficial use shall be filed on or before January 4, 1985

Map in support of proof of beneficial use shall be filed on or before January 4, 1985

Completion of work filed..... IN TESTIMONY WHEREOF, I PETER G. MORROS,  
State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed..... my office, this 15th day of NOVEMBER,

Cultural map filed..... A.D. 19 82

Certificate No. .... Issued.....  
  
State Engineer